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CRL MP(MD)



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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Monday, the First day of August Two Thousand and Twenty Two
PRESENT

The Hon`ble Mr.Justice K.MURALI SHANKAR

CRL MP(MD) No.8442 of 2022

IN

CRL A(MD) No.501 of 2021

ANAND

... PETITIONER/PETITIONER/APPELLANT

Vs

STATE REP.BY

THE DEPUTY SUPERINTENDENT OF POLICE,
AVANIYAPURAM POLICE STATION,
THIRUPPARANKUNDRAM TALUK,
MADURAI DISTRICT.

(CRIME NO.169 OF 1998)

... RESPONDENT/RESPONDENT/RESPONDENT

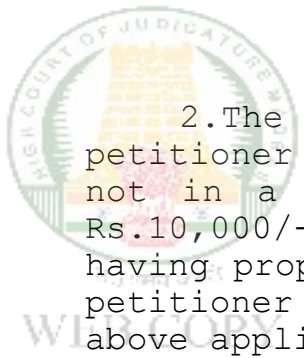
Petition filed praying that in the circumstances stated therein and in the petition filed therewith the High Court may be pleased to modify the condition imposed in order dt. 19/05/2022 in Crl.M.P.(MD) No.6097/2022 in Crl.A.(MD) No.501 of 2021 as "on Condition that the petitioner shall execute two sureties with Aadar card, Smart Ration card and passport size photos" instead of "on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand Only), with two sureties each for a like sum".

Prayer in CRL.A(MD)No.501 of 2021:

Pleased to call for the records relating to the judgment passed in S.C.No.194/2015 dated 25.10.2021 on the file of the Court of the Sessions Judge, Mahalir Neethimandram, Madurai and set aside the same and acquit the appellant/accused No.1 from the charge leveled against him.

Order : This petition coming up for orders on this day, upon perusing the petition filed in support thereof and upon hearing the arguments of M/S.GOWRISHANKAR.R, Advocate for the petitioner and of MR.B.NAMBI SELVAN, Additional Public Prosecutor on behalf of the Respondent, the court made the following order:-

The above petition has been filed seeking orders to modify the condition imposed by this Court, vide order dated 19.05.2022, in Crl.M.P.(MD)No.6097 of 2022 in Crl.A(MD)No.501 of 2021, by suspending the sentence to the effect that 'the petitioner shall execute two sureties with Aadar Card, Smart Ration Card and Passport size photos' instead of 'the petitioner shall execute a bond for a sum of Rs.10,000/- with two sureties each for a likesum'.



2.The learned counsel for the petitioner would submit the petitioner is very poor and no sound supporting relatives and he is not in a position to arrange and execute a bond for a sum of Rs.10,000/- with two sureties each for likesum, that no persons having property to the worth of Rs.10,000/- are willing to help the petitioner and that hence, the petitioner is constrained to file the above application for modification.

3.After hearing the submissions made by the learned counsel for the petitioner, this Court directed the respondent police to file a report with respect to the means of the petitioner and his family.

4.Today, when the matter is taken up for hearing, the learned Additional Public Prosecutor has filed a report of the Inspector of Police, V2 Avaniyapuram Police Station, Madurai City, stating that the petitioner's wife is working as a Coolie and they are residing in a rental house and that there is no other relatives ready to help with them.

5.It is pertinent to note that though this Court has passed order on 19.05.2022, as rightly contended by the learned counsel for the petitioner, the petitioner is still in prison and he is unable to furnish the sureties as directed by this Court.

6.Considering the above facts and circumstances, this Court is inclined to modify the condition imposed in Crl.M.P.(MD)No.6097 of 2022 in Crl.A.(MD)No.501 of 2021, dated 19.05.2022 to the effect that the petitioner shall execute two sureties, including relatives, with Aadar Card and Smart Ration Card by affixing their photographs.

7.This Petition is ordered accordingly.

sd/-

01/08/2022

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/08/2022

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1 THE SESSIONS JUDGE,
MAHALIR NEETHIMANDRAM, MADURAI.

2 THE SUPERINTENDENT
CENTRAL PRISON, MADURAI.

3 THE DEPUTY SUPERINTENDENT OF POLICE,
AVANIYAPURAM POLICE STATION,
THIRUPPARANKUNDRAM TALUK,
MADURAI DISTRICT.

<https://www.maduraijudis.in>



CRL MP(MD)



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4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1 CC to M/s.R.GOWRI SHANKAR, Advocate (SR-7947[I] dated 01/08/2022)

ORDER

IN

CRL MP(MD) No.8442 of 2022

IN

CRL A(MD) No.501 of 2021

Date :01/08/2022

RS/SVR/SAR.3 (05.08.2022) 3P-6C